REMARKS

Claims 1-7 are all the claims pending in the application. Claims 6 and 7 have been newly added herewith.

Claim Rejections - 35 U.S.C. § 102

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by newly cited Mori (U.S. Patent No. 5,559,618). Applicants respectfully traverse this rejection in view of the following arguments.

Claim 1 sets forth a second biaxial index ellipsoid which is obtained by rotating a first biaxial ellipsoid at an arbitrary rotational angle $\theta 1^{\circ}$ about the X axis as an axis of rotation and then at an arbitrary rotational angle $\theta 2^{\circ}$ about the Y axis as an axis of rotation. Thus, a non-limiting embodiment consistent with claim 1, such as Example 1 of the present application, includes an ellipsoid rotated about *two* axes of rotation.

Mori simply fails to teach rotation about two axes of rotation as claimed. More particularly, as shown in Fig. 2, Mori teaches rotation only about the direction nx. This results in a direction of ny inclined from the plane of a sheet the nz direction inclined from the normal of the sheet. This is explained, for example, in Example 1 of the Mori reference (*see* column 8, lines 10-38). As explained in Example 1 of Mori, the Mori film is rolled between two heated pressure rollers having peripheral speed different from each other to prepare a film in which nz is inclined from the normal. By passing between two rollers having different peripheral speeds, the direction of ny is also inclined. It is clear that this inclination of ny and nz is accomplished by rotation only about the nx axis. Mori fails to teach rotation about any other axis.

Despite Mori's teaching of rotation only about a single axis, the Examiner asserts that Fig. 2 of Mori teaches the claimed invention if the arbitrary rotational angle θ2° is 0° or 360°. Although the Examiner is entitled to give the claim its broadest reasonable interpretation, the Examiner's interpretation is unreasonable. The claim is clearly directed to a biaxial index ellipsoid formed by rotating another ellipsoid about two axes, but the Examiner's interpretation would essentially eliminate the recitation of rotation about the Y axis. The Examiner's interpretation to include an arbitrary angle of 0° or 360° would render the recitation of an arbitrary rotational angle θ2° about the Y axis as an axis of rotation meaningless, and is therefore not a reasonable interpretation of claim 1.

While claim 1 sets forth a second index biaxial ellipsoid obtained by rotating a first index biaxial ellipsoid at an arbitrary rotational angle θ1° about the X axis as an axis of rotation and at an arbitrary rotational angle θ2° about the Y axis as an axis of rotation Mori clearly lacks rotating about two axes. Accordingly, Applicants submit that claim 1 is allowable over Mori at least because Mori fails to teach a rotational angle about the Y axis as claimed.

New Claims

Applicants have added new claims 6 and 7. Claims 6 and 7 depend from claim 1 and are therefore allowable at least because of their dependency.

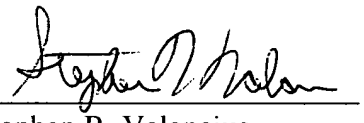
Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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